

VPI/98-104 CIP CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Keisuke Kuida & Richard A. Flavell
Application No.: 09/728,173 Confirmation No.: 4567
Group Art Unit: 1645
Examiner : Not Yet Assigned
Filed : December 1, 2000
For : CAPASE-9 DEFICIENT ANIMALS AND THE USE THEREOF

Cambridge, Massachusetts
April 28, 2004

MS PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

PETITION PURSUANT TO 37 C.F.R. § 1.137(b)
FOR REVIVAL OF ABANDONED APPLICATION

Sir:

Pursuant to 37 C.F.R. § 1.137(b), applicants hereby petition for revival of the above-identified patent application. This petition follows a May 23, 2003 Notice of Abandonment Under 37 C.F.R. 1.53(f) or (g).

This application unintentionally became abandoned as of May 7, 2001 because of applicants' lack of response to the Notice To File Missing Parts Of Nonprovisional Application dated March 7, 2001 ("Notice"), which set a two-month period for response.

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As required by 37 C.F.R. § 1.137(b), this petition is accompanied by:

- (1) A reply to the Notice; and
- (2) A fee in the amount of \$1,330.00 in payment of the petition fee set forth in 37 C.F.R. § 1.17(m).

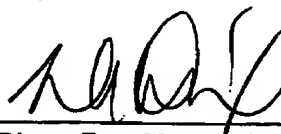
Applicants hereby authorize the Director to charge Deposit Account No. 50-0725 in the amount of \$1,330.00 in payment of the petition fee set forth in 37 C.F.R. § 1.17(m).

Pursuant to 37 C.F.R. § 1.137(c), this petition is not being accompanying by a terminal disclaimer. This is a utility application that was filed after June 8, 1995. Thus, no terminal disclaimer should be required in connection with this petition.

Accordingly, applicants respectfully request that this petition be granted and the above-identified patent application be revived. Early and favorable consideration of this Petition are respectfully requested.

The Director is hereby authorized to charge any additional fee due, or credit any overpayment, in connection with this petition, to Deposit Account No. 50-0725. A duplicate copy of this Petition is enclosed herewith.

Respectfully submitted,



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